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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,270	09/18/2001	Christopher J. Chevallier	703.019US3	8702

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SCHWEGMAN, LUNDBERG,
WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402

EXAMINER

WOJCIECHOWICZ, EDWARD JOSEPH

ART UNIT PAPER NUMBER

2815

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,270

Applicant(s)

Chevallier

Examiner

Edward Wojciechowicz

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The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 23, 2003
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-77 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 22-77 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Again, the exact method by which the voltage is reduced is not clearly understood. For example, in claim 22, a voltage is applied to a transistor, the voltage is reduced by a threshold voltage of the transistor, and a reduced voltage is provided at an output of the transistor. The claims do not specifically require that it is the transistor itself that is acting to reduce the applied voltage. That is, since the claims are reciting a method, it is not clear whether it is some operation of the transistor that reduces the voltage, or whether an operation external to the transistor is producing the reduced voltage.

Is it applicant's position that all transistors automatically and inherently output a voltage that is reduced by the threshold voltage of the transistor? If so, where does the invention lie? If, on the other hand, there is some inventive process by which the voltage is reduced, then such an inventive method has not been clearly defined.

Similarly, with respect to the other independent claims, the inventive process by which the voltage is actually reduced, short of an inherent result produced by all transistors, is not clearly defined.

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Similarly, in claim 55 (and its dependent claims), the actual method of regulating is unclear. The claim appears to merely describe turning a voltage reduction circuit on. Where does the inventive concept and method lie?

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Claims 22-77 are further rejected, insofar as understood, under 35 U.S.C. 102(e) as being anticipated by Nishio et al. The inventive concept of reducing a voltage applied to a transistor so that the output voltage is reduced by a threshold voltage of the transistor is taught by Nishio. See, for example, the discussion at col. 2, l. 23.

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Nishio also shows the integrated CMOS and memory transistors which are incorporated in various well regions, as claimed. Specifically, Nishio shows an arrangement whereby the reduced voltage of one transistor is applied to a second transistor or to another circuit, as claimed. See, for example, the discussion of Fig. 18.

Likewise, the integrated configuration of the Nishio circuit also results in the use of well regions which are also biased with the transistors, as well.

To the extent that the inventive method can be understood, it appears that the Nishio reference shows all of the claimed inventive features.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Wojciechowicz, whose telephone number is (703) 308-4898, or to SPE Eddie Lee whose number is 703-308-1690.

Edward Wojciechowicz:ew

April 7, 2003



EDWARD WOJCIECHOWICZ
PRIMARY EXAMINER
GROUP 2500